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2/18/01 GPM-1646

PATENT

Case 2991/1

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MAY 14 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

IN RE APPLICATION OF:

Summers et al.

GROUP ART UNIT: 1646

SERIAL NUMBER: 08/954,954

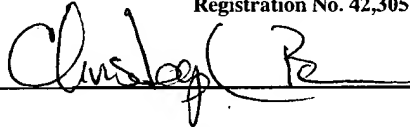
EXAMINER: Elizabeth Kemmerer

FILED: October 21, 1997

DATE: May 7, 2001

TITLE: Novel Erythropoietin Receptor Agonists

Certification of Mailing

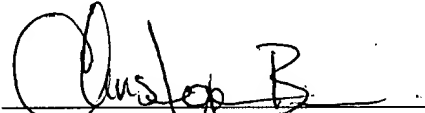
I hereby certify that the correspondence is being
deposited with the United States Postal Service as
first class mail in an envelope addressed to:Commissioner of Patents and Trademarks, Washington D.C. 20231
on May 7, 2001.S. Christopher Bauer
Registration No. 42,305 Date: 05/07/01NOTICE OF APPEALCommissioner of Patents and Trademarks
Washington, D. C. 20231
Sir:Applicant hereby appeal to the Board of Appeals from the decision dated November 07, 2000,
finally rejecting Claims 1-14. Extension of time was requested with the amendment filed May 04, 2001.

This item checked below is appropriate:

☒ [X] Fee \$310.00
☐ [] Fee not required (Fee paid in prior Appeal)☒ [X] The Commissioner is hereby authorized to charge any appropriate required fees for filing this
Notice of Appeal to Deposit Account No. 19-1025.☒ [X] A **triplicate** copy of this paper is enclosed.

05/14/2001 6TEFFERA 00000125 191025 08954954

01 FC:119 310.00 CH


S. Christopher Bauer
Agent for Applicants
Registration No. 42,305
Telephone: 636-737-6257

Post Office Address (to which correspondence is to be sent):

Patent Department Central
Monsanto/G.D. Searle
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Chicago, IL 60680-5110



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PTO/SB/17 (12/99)
Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.
Small Entity payments must be supported by a small entity statement,
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.
See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number 08/954,954
Filing Date October 21, 1997
First Named Inventor Neena Summers
Examiner Name Elizabeth Kemmerer
Group / Art Unit 1646
Attorney Docket No. S02991/1

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METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 19-1025

Deposit Account Name

☐ Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.17

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Code	Small Entity Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
101	690	201	345	Utility filing fee	
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	690	208	345	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid	
20**	=	X	= 0	
Independent Claims	- 3**	=	X	= 0
Multiple Dependent				

**or number previously paid, if greater; For Reissues, see below

Large Entity Code	Small Entity Code	Fee (\$)	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim, if not paid
109	78	209	39	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Code	Small Entity Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	380	216	190	Extension for reply within second month	
117	870	217	435	Extension for reply within third month	
118	1,360	218	680	Extension for reply within fourth month	
128	1,850	228	925	Extension for reply within fifth month	
119	300	219	150	Notice of Appeal	310
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,210	241	605	Petition to revive - unintentional	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
144	580	244	290	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	690	246	345	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	690	249	345	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify) _____

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 310)

SUBMITTED BY

Name (Print/Type) S. Christopher Bauer
Signature

Registration No. 42,305
(Attorney/Agent)

Complete (if applicable)

Telephone 636-737-6257
Date 05/07/01

WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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PTO/SB/21 (12-97)
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	08/954,954	
	Filing Date	October 21, 1997	
	First Named Inventor	Neena Summers	
	Group Art Unit	1646	
	Examiner Name	E. Kemmerer	
Total Number of Pages in This Submission	3	Attorney Docket Number	S02991/1

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	S. Christopher Bauer
Signature	
Date	05/07/01

CERTIFICATE OF MAILING	
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Typed or printed name	S. Christopher Bauer
Signature	
Date	05/07/01

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